

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

DAVID GLEESE,

Plaintiff,

v.

Case No. 2:04-cv-122

HON. DAVID W. MCKEAGUE¹

BARBARA BOUCHARD, et al.,

Defendants.

ORDER AND JUDGMENT
APPROVING REPORT AND RECOMMENDATION

The Court has reviewed the Report and Recommendation filed by the United States Magistrate Judge in this action. The Report and Recommendation was duly served on the parties, and no objection has been made thereto within the time required by law.

THEREFORE, IT IS ORDERED that:

1. The Report and Recommendation of the Magistrate Judge (Docket #35) is approved and adopted as the opinion of the Court.
2. Defendants' motion for summary judgment (docket #12) is GRANTED, plaintiff's motion for summary judgment (docket #21) is DENIED, and this case is DISMISSED in its entirety.
3. The Court can discern no good-faith basis for an appeal. Accordingly, petitioner is DENIED a certificate of appealability.

Dated: July 11, 2005

/s/ David W. McKeague
DAVID W. MCKEAGUE
UNITED STATES CIRCUIT JUDGE

¹ The Hon. David W. McKeague, United States Circuit Judge for the Sixth Circuit Court of Appeals, sitting by designation.